## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			22-Mar-06	APPL. S. N:	09941387				
To Exami	iner:		TRINH, SONNY K.	Art Unit	2687				
From			Logan, Rugenia PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68				
SUBJECT	<b>r:</b> Decisio	n on Te	erminal Disclaimer(T.D.) filed:						
form para or have a	agraphs i iny quest	dentifie ions, pl	eviewed the submitted T.D. with the d by this informal memo in your ne lease see me or the Special Prograr LED TO APPLICANT OR (2) PLACED	ext Office action to notify applicant on Examiner, THIS IS AN INFORMAL	of the T.D. If you disagree				
please ini	itial, date	and re	eturn this memo to me. THANK YOU	J.					
$\overline{\mathbf{Q}}$	The T.D.	is PRO	PER and has been recorded (see 14	1.23).					
	The T.D.	D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):							
		The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account							
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).							
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).							
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
		The person who signed the T.D.:							
			is not an attorney "of record" (se	ee 14.29 and 14.29.01).					
			has failed to state his/her capac	ity to sign for the business entity (	see 14.28).				
			is not recognized as an officer of	f the assignee (see 14.29 & possibl	e 14.29.02).				
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).							
		The T.D. is not signed (see 14.26 & 14.26.03).							
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The pe	riod disclaimed is incorrect or not s	pecified (see 14.26, 14.27.02 or 1	4.26.03).				
		Other:							
		Sugges and do	stion to request refund (see 14.36) not check this item.	. NOTE: If already authorized, cred	it refund to deposit account				
have ap	propriate	ly notif	ied applicant(s) of the status of the	Terminal Disclaimer filed in this ca	ase.				
Ex.Initials			Date:		Log Date:				

Application Number			Applicant(s)/Patent under Reexamination  ONODERA ET AL.					
Document Code - DISQ		Internal Document – DO NOT MAII		NOT MAIL				
TERMINAL DISCLAIMER	▼ APPROVED		☐ DISAPPROVED					
Date Filed : July 23, 2004	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by:								
Henry D. Jefferson								
			• •					

U.S. Patent and Trademark Office

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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional)

MM4463

In re Application of: Katsuya ONODERA

RECEIVED

Application No.: 09/941,387

JUL 2 7 2004

Filed: August 28, 2001 Technology Center 2600 For: COMMUNICATION SYSTEM JVC VICTOR Co. The owner, of JAPAN, LEd. 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. . The owner hereby agrees that any patent so granted on the instant application shall be 6.330.441 enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2. X The undersigned is an attorney or agent of record. July 20, 2004 07/23/2004 SSESHE1 00000010 011944 Eugene Lieberstein Typed or printed name 01 FC:18 4 110.00 DA 212-278-1307 Telephone Number Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\*Statement under 37 CFR 3.73(b) is required if terminal discialmer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.